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**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

<p>JOSE URRUTIA, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>THE ECONOMIST NEWSPAPER NA INC. Defendant.</p>	<p>PLAINTIFF’S NOTICE OF SUPPLEMENTAL AUTHORITY</p> <p>Case No. 2:23-cv-00878-HCN-DAO</p> <p>District Judge Howard C. Nielson, Jr. Magistrate Judge Daphne A. Oberg</p>
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Pursuant to DUCivR 7-1(c), Plaintiff Jose Urrutia submits this Notice of Supplemental Authority regarding a recent decision of relevance to issues raised by Defendant in its pending motion to dismiss (ECF No. 21).

Supplemental Authority: *Arnstein et. al. v. Sundance Holdings Group, L.L.C.*, 2:24-cv-0344-RJS-DAO, ECF No. 36) 2024 U.S. Dist. LEXIS 215328 *; 2024 WL 4882857 (D. Utah Nov. 25, 2025) (unpublished), copy appended hereto.

Relevance of Supplemental Authority: In *Arnstein*, a putative class action in which the plaintiffs alleged violation of same statute at issue in this case (Utah’s Notice of Intent to Sell Nonpublic Personal Information Act (“NISNPIA”), Utah Code Ann. § 13-37-101, *et seq.*), based

on facts materially identical to the facts alleged by the Plaintiff in this case (*compare Urrutia*, ECF No. 12 *with Arnstein*, ECF No. 12), the defendant there, like the Defendant here, moved to dismiss the case for failure to allege a disclosure of private facts in violation of the NISNPIA statute and lack of subject matter jurisdiction because of NISNPIA's class action bar. (*compare Urrutia*, ECF No. 21 at 18-19; 14-16 *with Arnstein*, ECF No. 23 at 20-21; 28-31). In denying the defendant's motion to dismiss for failure to state a claim and lack of subject matter jurisdiction in *Arnstein*, the court considered and rejected all of the same arguments raised by Defendant in its pending motion to dismiss for failure to state a claim and lack of subject matter jurisdiction in this case. *Compare U*, ECF No. 36 at 17-19; 5-17 *with Urrutia*, ECF No. 21 at 18-19; 14-16. The decision in *Arnstein* is thus factually and legally apposite to the pleading sufficiency and subject matter jurisdiction issues presently before the Court in this case.

Dated: December 18, 2024

Respectfully submitted,

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/s/ David W. Scofield
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